

Message Text

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PAGE 01 CANBER 05834 250707Z
ACTION L-03

INFO OCT-01 EUR-12 EA-10 ISO-00 CA-01 SSO-00 SCS-06
/033 W

-----044685 250725Z /21

O R 250616Z JUL 78
FM AMEMBASSY CANBERRA
TO SECSTATE WASHDC NIACT IMMEDIATE 3886
AMCONSUL SYDNEY IMMEDIATE
DEPT OF JUSTICE WASHDC
AMEMBASSY MANILA
AMEMBASSY TOKYO
INFO AMCONSUL AUCKLAND
AMEMBASSY OTTAWA
AMEMBASSY SUVA
AMCONSUL VANCOUVER
AMEMBASSY WELLINGTON

C O N F I D E N T I A L CANBERRA 5834

E.O. 11652: XGDS-2
TAGS: CFED, PORS, SOCI, PDIP, CVIS (MEIER, JOHN H.), SPRS,
TN, US, CA
SUBJECT: ARREST AND EXTRADITION OF JOHN HERBERT MEIER, AKA
IVOR A. ROBERTSON

REF: STATE 186241

1. EMBASSY DELIVERED NOTE TO DEPARTMENT OF FOREIGN AFFAIRS
JULY 25 PROVIDING INFORMATION CONTAINED IN PARA 1 REFTEL.

2. OFFICIAL DEALING WITH EXTRADITION MATTERS IN ATTORNEY
GENERAL'S OFFICE TOLD EMBOFF LATER IN THE DAY THAT THEY
STILL HAD SOME PROBLEMS WITH OUR REQUEST FOR MEIER'S
PROVISIONAL ARREST. ARTICLE II (21) OF THE EXTRADITION
TREATY BETWEEN AUSTRALIA AND THE U.S. MAKES CONSPIRACY TO
DEFEAT THE COURSE OF JUSTICE AN EXTRADITABLE OFFENCE. MORE
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THAN ONE PERSON MUST BE INVOLVED TO ESTABLISH
CONSPIRACY, AND THERE IS NO EVIDENCE TO DATE THAT MEIER
MAY HAVE CONSPIRED WITH SOMEONE ELSE. ATTORNEY GENERAL'S
OFFICE NOTED THAT THERE IS NO INDICATION FROM INFORMATION
CONTAINED REFTEL THAT MEIER'S ATTORNEY DID OTHER THAN
ENTER DOCUMENTS INTO EVIDENCE GIVEN HIM BY MEIER.

3. ATTORNEY GENERAL'S OFFICE IS THUS HESITANT TO REQUEST MEIER'S PROVISIONAL ARREST. MAGISTRATE MIGHT REFUSE TO ISSUE ARREST WARRANT IN THE FIRST PLACE. IF MEIER WERE TO BE PROVISIONALLY ARRESTED, MAGISTRATE MIGHT RELEASE HIM ON THE GROUNDS THAT THE ALLEGED OBSTRUCTION OF JUSTICE DID NOT INVOLVE CONSPIRACY WITH ANOTHER PERSON AND WAS THEREFORE NOT AN EXTRADITABLE OFFENSE UNDER THE TREATY.

4. AS POINTED OUT PREVIOUSLY (CANBERRA 5762), MEIER CASE IS POLITICALLY SENSITIVE ISSUE. GOA IS THEREFORE BEING MOST CAUTIOUS IN HANDLING OUR REQUEST FOR MEIER'S PROVISIONAL ARREST.

5. ACTION REQUESTED: THAT THE EMBASSY BE PROVIDED IMMEDIATELY WITH ANY INFORMATION THAT WOULD SUBSTANTIATE CONSPIRACY ALONG THE LINES REQUESTED BY THE GOA, AS WELL AS ANY OTHER OFFENSES UNDER THE TREATY FOR WHICH MEIER'S EXTRADITION MIGHT BE SOUGHT.

ALSTON

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Message Attributes

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Disposition Approved on Date:
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